IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO. 293 OF 2006

Badrunissa Latif Ahmed Shaikh
and anr. .. Petitioners

Versus

The State of Mah. and Ors. Respondents

Mr.Y.S. Bhate for Petitioner.

Mr. Milind More, A.G.P. for R. Nos. 1 to 3.

Mrs. P. Purandhare for R. Nos. 4 to 7.

CORAM : F.I. REBELLO &
A.V. MOHTA, JJ.
DATED : MARCH 07, 2006

P.C.

. The land on which the structure exists has been acquired by the Corporation for the purpose of garden. The petitioner now seeks licence to carry out a flour mill. It is not understandable as to how the encroacher on the land can approach this court in the exercise of its extra ordinary jurisdiction for licence to carry out commercial activity on the plot of land acquired by the corporation by paying the compensation for the

purpose of garden. No such relief can be granted.

. The Corporation if it has expended money for acquisition, must take steps to clear the encroachment on the lands and give effect to the purpose for which the and was acquired. Office to send the copy of this order to the Municipal Commissioner, Greater Mumbai. With the above observations, Petition disposed of.

(F.I. REBELLO,J.)

(A.V. MOHTA,J.)